



PREPROPOSAL STATEMENT OF INQUIRY

(RCW 34.05.310)

CR-101 (7/22/01)

Do NOT use for expedited rule making

Agency: Dept. of Agriculture

Subject of possible rule making: WAC 16-390-230 (What is the fee for an apple pest certification?). The department is reviewing the apple pest certification fee rule and may propose to increase it. In addition, the department may amend the existing language to increase its clarity and readability and update the language to conform to current industry and regulatory standards.

(a) Statutes authorizing the agency to adopt rules on this subject: Chapter 15.17, 17.24 and 34.05 RCW

(b) Reasons why rules on this subject may be needed and what they might accomplish: The apple maggot is an invasive insect pest native to Eastern North America. Its hosts include apples, crabapple, and native hawthorn. In its larval development stage it can cause extensive damage to fruit. It is economically significant to the Washington apple crop not only due to its ability to cause physical crop damage, but also because fruit from apple-maggot free areas or locations has greater market access for international shipments. The apple pest certification fee is used to fund annual surveys for apple maggot. Data collected from last summer's apple maggot survey provided evidence that the state's apple maggot population has expanded its range. Because of this, additional resources will be needed to conduct expanded future apple maggot surveys in order to comply with international standards. In addition, the program has experienced increased costs of inputs, particularly gasoline. Changes to the existing rule may be needed to help manage and prevent the possible movement of apple maggot from infested areas into uninfested areas, secure our continued access to international and interstate markets, and protect the commercial tree fruit industry from an economically significant pest.

(c) Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None

(d) Process for developing new rule (check all that apply):

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe)

Department staff will discuss any proposed amendments with affected stakeholders, including the WSDA Apple Maggot Working Group. Affected stakeholders will also have an opportunity to submit written comments on the proposed rules during the public comment period and will be able to present oral testimony at the public hearing.

(e) How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers of persons to contact; describe meetings, other exchanges of information, etc.)

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May 24, 2006

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